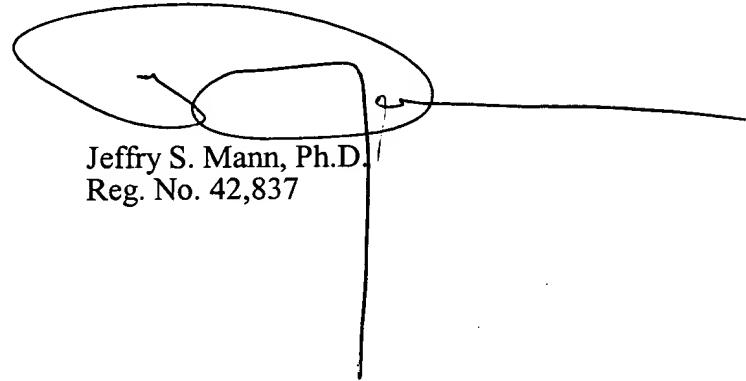Furthermore, where claims can be examined together without undue burden, the Examiner must examine the claims on the merits even if they are directed to independent and distinct inventions. See, the MPEP at 803.01. In establishing that an "undue burden" would exist for co-examination of claims, the Examiner must show that examination of the claims would involve substantially different prior art searches, making the co-examination burdensome. To show undue burden resulting from searching difficulties, the Examiner must show that the restricted groups have a separate classification, acquired a separate status in the art, or that searching would require different fields of search (MPEP at § 808.02). Applicants respectfully submit that all of the claims in the present application can readily be searched as a single group without undue burden.

Both restricted claim groups are drawn to methods of extracting NMR data from a molecule labeled with an NMR-detectable nucleus. The argument presented in the office action fails to explain how one restricted group allegedly differing from the other in *excluding* one particular NMR-detectable nucleus creates an undue burden in conducting a prior art search.

In view of *any* of the forgoing arguments, Applicants respectfully submit that the present restriction requirement is improper and should be withdrawn. If a telephone call would expedite prosecution of this application, the Examiner is invited to telephone the undersigned at 415-576-0200.

Respectfully submitted,

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

1.   A method of extracting structural information from a NMR data set for a selected macromolecule in an intact biological compartment wherein said selected macromolecule is labeled with an NMR-detectable nucleus, such that said nucleus is present in said macromolecule in an amount greater than is naturally abundant in said macromolecule, said method comprising:

(a) contacting said ~~cell~~ intact biological compartment with radio frequency energy, thereby producing an excited NMR-detectable nucleus;

(b) collecting radio frequency data from said excited NMR-detectable nucleus, thereby producing said NMR data set, and

(c) analyzing said data set to extract said structural information for said selected macromolecule from said data set.